

Remarks/Arguments:

By this amendment, Applicants have canceled claims 15-28 and added new claims 29-41. No new matter is introduced by the new claims.

Claim Rejections Under 35 U.S.C. §112

Claims 17 and 22 stand rejected under 35 U.S.C. §112, first paragraph, and claims 15-28 stand rejected under 35 U.S.C. §112, second paragraph. Claims 15-28 are herein canceled, and as such, these rejections are moot. Applicants respectfully submit that new claims 29-41 particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Claim Rejections Under 35 U.S.C. §102 and §103

Claims 15-17 and 21-23 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,030,055 (Schubert). Claims 19, 24 and 25 stand rejected under 35 U.S.C. §103(a) as unpatentable over Schubert. Claims 18 and 20 stand rejected under 35 U.S.C. §103(a) as unpatentable over Schubert in view of U.S. Patent No. 5,419,622 (Burg et al.). Claim 26 stands rejected under 35 U.S.C. §103(a) as unpatentable over Schubert in view of U.S. Patent No. 5,816,667 (Jokic). Claim 27 stands rejected under 35 U.S.C. §103(a) as unpatentable over Schubert in view of U.S. Patent No. 5,090,780 (Powell). Claim 28 stands rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,209,968 (Bayens et al.) in view of Schubert. Applicants respectfully traverse these rejections.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." M.P.E.P. §2143.

Independent claim 29 recites a method for controlling a vehicle brake system with active hydraulic brake force boosting, comprising providing an actuation counter with a given value; determining if a difference between the nominal value and the actual value is greater than a threshold value, and, if such difference is greater than the threshold value, increasing the actuation counter by one increment; and actuating an active pressure-increasing unit or a pressure modulation unit at a desired actuation level based on the determined difference and a current actuation counter value. None of the cited references, either alone or in any reasonable combination, teaches or suggests providing a counter to monitor the number of times the nominal and actual value difference is greater than the threshold value and to actuate the active pressure-increasing unit or the pressure modulation unit at a desired actuation level that is based on, at least in part, the current actuation counter value.

Claims 30-41 all ultimately depend from claim 29 and are therefore allowable for, *inter alia*, the reasons set forth above.

It is respectfully submitted that each of the pending claims is in condition for allowance. Early reconsideration and allowance of each of the pending claims are respectfully requested.

If the Examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, it is respectfully requested that the Examiner get in contact with the undersigned to arrange the same.

Respectfully submitted,



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